

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

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August 21, 1943

## War Manpower Commission Tightens Restrictions on Transfers of Workers

### Regulations Seek To Force Employees into War Industries and Prevent Job Changes without WMC Approval

The War Manpower Commission, on August 13, issued a sweeping revision of its regulations governing the transfer of workers. These new regulations are designed to obtain manpower for essential war production without reducing the proposed size of the armed forces and present war material production schedules.

Basically, the new rules seek to strengthen the operation of the "work-or-fight" policy previously announced by WMC Director Paul V. McNutt and are therefore directly related to Selective Service regulations. The regulations seek to accomplish this purpose by forcing employees into war industries under pain of being drafted and to prevent employees in war industries from leaving or transferring without approval of WMC.

The program is now stated in several separate regulations. On April 1, 1943, Lewis B. Hershey, Director of Selective Service, issued a memorandum to local draft boards instructing them that married men could not be deferred if they were engaged in "non-deferrable activities." Deferment by reason of employment essential to the war effort was continued. Then, on August 13, the WMC restated and revised the original program by issuing the following separate documents:

(1) A new "list of critical occupations" described according to job classifications urgently needed for the war effort; (2) An amendment expanding the list of non-deferrable activities; (3) An instruction to local draft boards to give great attention to occupational deferment; (4) An amendment expanding the "list of essential activities" described according to industries; (5) An amendment to Regulation No. 4 of the WMC governing transfer of workers at increased rates of pay, and (6) A new Regulation No. 7 governing employment stabilization programs.

The lists of "critical occupations" and "essential activities" have the dual purpose of guiding the local draft boards in deciding occupational deferment cases and of determining what

employees may transfer with and without approval of WMC.

The regulations which affect canners in the hiring of employees are the new Regulation 4 and 7, which are reprinted at the end of this article. What the regulations do is to prohibit any canner from hiring a new employee at a higher rate of pay unless the hiring is done in accordance with the provisions of the employment stabilization program for the area in which the canner is located. Regulation 7 then provides that all employment stabilization programs are to contain uniform minimum standards regulating transfers of workers. If a program has not yet been adopted for a particular area, then all hiring is to be done in accordance with the minimum standards set out in the regulation (Regulation 7, section 907.4).

The former restrictions, as a practical matter, are not greatly changed by the new regulations. The transfer of

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### CCC TOMATO PRICES REVISED FOR TRI-STATES, VIRGINIA

The Commodity Credit Corporation, in Amendment No. 5 to its offer to purchase and resell vegetables for processing, has revised the CCC prices for tomatoes purchased on the open market in New Jersey, Maryland, Delaware, and Virginia. It will be noted, in the text of the amendment which follows, that the revised prices include transportation costs:

In order further to encourage the utilization of tomatoes in line with the policy announced by the War Food Administration on January 28, 1943, Commodity Credit Corporation hereby amends its "Offer of Commodity Credit Corporation to Purchase and Resell Designated Vegetables Which Are Processed in 1943" (hereinafter called the "Offer") with regard to tomatoes purchased in the open market, delivered to the processor in New Jersey, Delaware, Maryland, and Virginia, and processed by the processor in 1943 in plants in these States, by substituting the following provisions with regard to such tomatoes in lieu of the language appearing in paragraphs 4 (a) and 5 (b) of the offer:

(Concluded on page 7814)

## TAX DECLARATION MUST BE FILED SEPTEMBER 15

### Taxpayer Must Estimate 1943 Income And Pay Half of Tax, Less Specified Credits

Thousands of small business men, who do not come under the wage and salary withholding provisions of the Current Tax Payment Act of 1943, will be required, on or before September 15, to file with their Collector of Internal Revenue a form known as the Declaration of Estimated Income and Victory Tax, and to make payment on the tax they estimate they owe for the year, according to a recent announcement by Guy T. Helvering, Commissioner of Internal Revenue.

Withholding at the source does not make everyone current in his tax payments because it does not apply to all wages and salaries, or to other forms of income such as interest, dividends, rents and business profits. Also, the withholding rate approximates only

the net Victory tax, the normal income tax and the surtax at the lowest bracket rate, so that it does not make people in the higher wage and salary ranges fully paid up. Finally, certain groups, including farm laborers, are exempt from withholding.

Therefore, in order to place all taxpayers on an equal footing, from the standpoint of being current in their income and Victory tax payments, Congress provided a method by which the taxpayer will file a Declaration of Estimated Income and Victory Tax for the year, and pay that estimated tax either in a lump sum or in installments.

Ordinarily, such a return would be filed in March for the current year, at the same time that the taxpayer filed his annual corrected return for the preceding year. In this transition year, however, it becomes necessary for about

15,000,000 individual taxpayers to file a Declaration of Estimated Income and Victory Tax for the Calendar Year 1943 on or before September 15, and to make at that time a payment of half the estimated annual tax, minus combined quarterly payments already made on 1942 incomes (which are credited on the 1943 return), and estimated Victory and withholding tax deductions for the year.

Among those required to file the declaration on or before September 15 are single persons earning over \$2,700 a year and all married persons earning over \$3,500 a year, as well as taxpayers with other sources of income or who are not subject to withholding.

Experts of the Bureau of Internal Revenue have simplified for the taxpayer the task of filing the declarations. A simple form has been prepared in which there are only six blank spaces to be filled in with estimated tax items. For the taxpayer's help in figuring, this is accompanied by a single page work and instruction sheet, with only seven blank spaces, and a ready reference table for quickly computing the estimated tax on his income. More detailed instructions and work sheets will be provided on request to taxpayers who want to do a more precise job of estimating their income and tax due for 1943.

When a declaration shows a tax still owing the Government for 1943, even after all payments and withholdings, then half of the excess is to be sent to the Collector of Internal Revenue along with the declaration. The other half must be remitted on or before December 15.

Credits to be taken on the declaration include payments made to collectors on March 15 and June 15 this year on account of 1942 income taxes; withholdings made by employers under the 5 per cent Victory tax for the first half of the year, before the new withholding system went into effect; and taxes withheld from wages from July 1 until December 31, 1943.

Farmers,—and by that is meant all persons who derive at least 80 per cent of their gross income from farms,—are given special consideration because of the seasonal nature of their business. This year they are given the option of either filing a declaration on September 15, and paying half of the tax due like other taxpayers or waiting until December 15 to file their declaration, sending with it the full payment of the estimated tax due.

Taxpayers who find that they have miscalculated their estimated income tax on their September 15 declaration,

have the privilege of filing an amended declaration on or before December 15.

Penalties are provided for a failure to file a declaration, or to pay a tax if required; or for a gross under-estimate of the estimated tax, it was stated.

## PROTESTS TO AMENDMENT 9

### September 3 Is Final Date for Filing Under Terms of Price Act

The procedure for seeking adjustments of particular maximum prices, for general changes by amendment of maximum price regulations, and for questioning the validity of regulations was described in last week's *INFORMATION LETTER* in the article discussing the decision of the Emergency Court of Appeals in the case of *Armour and Co. v. Brown*. It is pointed out in that article that the only way in which the legal validity of a regulation may be questioned is by the filing of a protest within 60 days after the issuance of the regulation.

It should be noted that a protest against a maximum price regulation on the ground that the regulation is invalid, is a matter of right granted by the Emergency Price Control Act itself. But this right, if not exercised in accordance with the procedural regulations of the OPA, is lost by failure to protest the regulation. As indicated in last week's *LETTER*, a protest against a regulation must be filed with the OPA within 60 days after the date of issuance of the regulation.

Amendment No. 9 to Maximum Price Regulation 306 was issued on July 5, 1943 (see the *INFORMATION LETTER* for July 10, 1943). Consequently, the last day on which protests to this amendment may be filed is September 3. Therefore, any canner who believes that Amendment No. 9 is invalid on any ground must file his protest by September 3 or lose his right to protest the regulation.

## Florida Cannery Purchased

Siegfried Bechtold has purchased the building and assets of the Deep Lake Canning Company, Dania, Florida, and will conduct the business under the name of the North American Canning Company. The cannery building at Dania is now being remodeled to make possible an increased production schedule. Tomatoes, beans, citrus, and other fruits and vegetables will be canned. Carl F. Deltz, with many years of experience in food processing, will be retained as factory manager.

## Growers Prices Are Set on Figs for Canning and Drying

Grower prices for figs for canning and drying were announced August 18 by the War Food Administration. Simultaneously, the Office of Price Administration announced that these grower prices will be reflected in the processors' ceiling prices for the canned and dried figs.

Grower price levels announced by the WFA which reflect an average increase over 1942 prices of \$60 a ton for dried figs and \$45 a ton for Kadota figs for canning are:

Canned figs—Kadotas—\$125 per ton.

Dried figs—Calimyrnas (basis 75 per cent test), \$380 per ton; Adriatic (basis 80 per cent test), \$270 per ton; Kadotas tree picked (basis 90 per cent test), \$240 per ton; Kadotas, natural (basis 85 per cent test), \$230 per ton; Black Mission (basis 85 per cent test), \$200 per ton.

The OPA said it is amending the ceiling price previously announced for this year's pack of canned figs to reflect the average grower price of \$125 on Kadota figs. The canners' ceiling price had previously reflected an increase of \$15 a ton above last year on all figs, including Kadotas. The new canners' price to be issued shortly will remain unchanged for figs other than Kadotas, it was stated.

A new price regulation on dried figs will be issued shortly to reflect the grower prices announced by WFA.

## Status of Chili Con Carne Under Rationing Clarified

The Office of Price Administration has moved to clear up misunderstanding in trade circles by stating that red ration stamps, not the blue, should be given up by consumers when buying chili con carne.

This misunderstanding had grown out of the fact that the product is sold in two forms: (1) much like sausage in the form of bricks, and (2) as a canned item consisting of chili con carne with or without beans. Both items come under the meats-fats rationing program, and, therefore, red stamps must be surrendered by persons buying them.

OPA has listed chili con carne in Appendix A of Ration Order 13. Appendix A is comprised of items specifically listed as being foods which are not processed foods. This action was taken through the issuance of Amendment 51 to RO 13, which became effective August 19.

## President Strengthens Authority of NWLB in Enforcing Directives

### Executive Order Covers Cases Where Either Employers or Unions Refuse to Comply

The President has issued Executive Order 9870 authorizing the Economic Stabilization Director to take specific action in connection with the enforcement of directives of the National War Labor Board in cases where (1) the employer refuses to comply and (2) a local union refuses to comply. Released with the text of the executive order, on August 16, was a letter written by Mr. Roosevelt to William H. Davis, NWLB Chairman, which elaborates on the particulars of the executive order. Text of this letter follows:

"I am writing you regarding the question of compliance with Board orders under the War Labor Disputes Act which you and I have been considering. The Act empowers the Board to prescribe the terms and conditions governing the relations between the parties, which shall be in effect until further order of the Board."

"Congress intentionally left the enforcement of these orders to executive action. I agree with you that it would be helpful, in the light of our combined experience in dealing with disputes under Executive Order 9017 and more recently under the Act, to define a program for bringing about compliance in the relatively few cases in which executive action may become necessary."

"1. When an employer refuses to comply, his plant may be seized and operated by the Government in accordance with the terms and conditions of employment prescribed by the Board. Less drastic sanctions, however, including control of war contracts, of essential materials, and of transportation and fuel, should be applied if this can be done without impeding the war effort. I am accordingly requesting the Director of Economic Stabilization to direct the application of any or all available sanctions of this sort by the appropriate agencies of government, in cases of noncompliance reported to him by the Board."

"2. When a local union refuses to comply, by directing or advising workers not to work under the terms and conditions prescribed by the Board, action by the responsible national or international officers has thus far, in all but one or two cases, sufficed to bring about compliance. If such action should prove ineffective, or if a national or international union should itself be the offender, the plant will be taken over under the War Labor Disputes Act and operated by the Government, if this is necessary to prevent interference with production and to protect the workers who wish to work."

"The Act provides that in such cases the terms and conditions of employment effective at the time of taking over shall continue, unless the Board modifies them upon request of either the union or the government agency operating the property. As a part of the compliance program, the appropriate government agency at the time of taking over shall ask the Board to modify its orders so as to withhold from the union (by escrow in the case of checked-off funds) the benefits, privileges or rights accruing to it as such under the agreement or proposed agreement with the employer, until the union demonstrates its willingness and capacity to abide by the obligations thereof. All questions of fact in this connection, and the extent of any modification of the order, should be determined by the Board. I am authorizing the Director of Economic Stabilization to issue any necessary instructions to government agencies in carrying out this policy."

"Government operation in these cases will be conducted with the least possible interference with existing management. Plants will be returned to their owners as speedily as conditions permit, and in any event, as provided in the Act, within 60 days after the restoration of productive efficiency. The Board may of course on its own motion, except during government operation, modify its orders in any way it deems appropriate to ensure compliance."

"3. As to compliance by individuals, the Act contains penalties for certain types of interference with production which it is the province of the Attorney General to enforce. In addition, sanctions can be applied by the Selective Service and the War Manpower Commission, and I am requesting the Director of Economic Stabilization to direct the application of any or all of such sanctions in necessary cases upon report by the Board of non-compliance."

"I am informed that during the past 18 months the Board disposed of over a thousand disputes. Only seven had to be referred to me because of persistent non-compliance. This is a remarkable record, in the making of which the industry, labor and public members of the Board have each played an effective part. They could not have succeeded, however, without the patriotic support given to the national no-strike, no-lockout agreement by the great mass of American employers and workers and their leaders. I am confident that that agreement, which calls for final determination by the Board of all disputes not settled by collective bargaining or conciliation, will continue to be supported; and it is my earnest wish that the sanctions described above, which exist only as a matter of wartime necessity, may not have to be invoked."

## WANTED AND FOR SALE

### Machinery—Equipment

This column is open only to members of the Association who want to buy or sell canning machinery and equipment. Names of firms listing the items below will be furnished upon application to the Association. In requesting names, please identify items by number.

### WANTED

100-W—24/2 caser, hand power.

### FOR SALE

273-S—Kyler labeling machine No. 4005-L, adjustable for 8-oz. to No. 2½ cans, practically new.

274-S—Six Portland square cast iron retorts (36 x 36 x 36) for 15 pounds pressure, practically new.

275-S—Nine-inch R H spiral conveyor 12 feet long with right angle bevel gear drive, complete with cover.

276-S—Four steam hoists for retort, each for 20-foot diameter circle—12 feet high; one 36x8-inch steam cylinder, and three 40x10-inch steam cylinder.

277-S—30-foot combination tomato washer and scalders. Brass roller type.

278-S—10-foot 10-inch spiral worm conveyor.

279-S—14-foot 14-inch spiral worm conveyor.

### Frozen Fruit Points Raised

The point value of frozen fruits, sold in containers of more than 10 pounds, is raised to 12 points per pound, from their present per pound value of 6 points, the Office of Price Administration announced August 16.

This action, taken in Amendment 18 to Revised Supplement 1 to Ration Order 13, is part of a plan for limiting the general use of frozen fruits for industrial purposes in order that adequate supplies be available for the particular purpose of increasing the production of jams, jellies, preserves, marmalades, and fruit butters.

Further details of this program, which will permit manufacturers of fruit spreads to obtain additional amounts of processed foods for this purpose, will be announced shortly. OPA already has increased allotments of sugar to such manufacturers.

## BROWNLEE NAMED DEPUTY ADMINISTRATOR OF PRICE

Several Other OPA Appointments Made To Comply with Law Requiring Experience in Business

James F. Brownlee, for a number of years an official of the General Foods Corporation, took office August 16 as the OPA deputy administrator in charge of price.

Since May, Mr. Brownlee has been director of transportation in the War Food Administration. He is succeeded in the latter post by Mark Upson, of Cincinnati, who is on leave from The Procter & Gamble Company.

As the deputy administrator directly responsible for price control, Mr. Brownlee will assist Chester Bowles, OPA general manager, in completing the reorganization made necessary by the Congressional ban on persons in policy-making positions who lack business experience.

Mr. Brownlee succeeds Donald H. Wallace, who has been acting deputy administrator since the resignation of J. Kenneth Galbraith in June. Mr. Wallace, and two price division heads who are without direct business experience, will leave their positions but will be retained for the present as economic advisers.

The division directors retained with Mr. Wallace as economic advisers are Clair Wilcox, who has been director of the Industrial Manufacturing Price Division, and R. B. Hefebower, who has been director of the Food Price Division. It is expected that successors to these men will be announced shortly.

The dropping of the three men from their policy-making positions was mandatory under the Congressional ban which forbids payment of salary, after August 15, "to any person in the Office of Price Administration engaged in directing any program of price policy, price ceiling, or maximum price, unless such person, in the judgment of the Administrator, be qualified by experience in business, industry or commerce."

In retaining the three as economic advisers, Mr. Bowles said: "The formation and administration of war-time price regulation requires many diverse skills. Congress has directed that those in policy-making positions shall be skilled in business. We shall scrupulously adhere to this requirement and to the expressed wishes of Congress. But the OPA cannot afford to lose the services of these three able and practical men, and we are therefore retaining them as economists to

aid Mr. Brownlee and his business-trained price division heads. The authority to direct price policy, however, will remain, in accordance with the Congressional order, solely in the hands of men experienced in business, industry or commerce."

It was announced by Mr. Bowles on August 18 that Reagan P. Connally, a New York City retailer, president of the Interstate Department Stores, has been appointed Director of the Consumer Goods Division of OPA.

## Galbraith Joins Lend-lease

E. R. Stettinius, Jr., Lend-lease administrator, has announced that J. Kenneth Galbraith, formerly Deputy Price Administrator, has joined the staff of the Lend-lease Administration and has been designated by the State Department and the Lend-lease Administration for a foreign assignment.

## Hatfield Joins WPB Staff

Appointment of Robert M. Hatfield as Acting Director of the Production Scheduling Division of WPB has been announced by Harold Boeschenstein, Director of the Production Controls Bureau.

Mr. Hatfield has been Chief of the Boiler Section, Power Division of the Office of War Utilities since January 10.

## 1943 Sweet Corn Acreage

The sweet corn planted for canning in 1943 totaled 533,542 acres, compared with 492,697 acres planted in 1942, according to the Association's Division of Statistics. This represents an increase of 40,845 acres planted this year. This includes the acreage planted for canning only and does not include sweet corn planted for freezing, dehydration or for other forms of processing.

The table below shows the acreage planted in each State by variety:

State	Ever-Green	Narrow Grain	Country Gentlemen	Crosby	Total White	Total Yellow
Maine, Vermont and New Hampshire ..	.....	.....	.....	752	752	15,241
New York .....	182	.....	.....	.....	182	28,143
Maryland .....	11,272	1,961	8,197	.....	21,340	27,133
Delaware .....	1,600	.....	.....	.....	1,600	2,400
Pennsylvania .....	2,904	683	1,125	350	5,062	11,545
Ohio .....	4,197	9,419	1,837	.....	15,453	13,441
Indiana .....	13,590	300	19,327	.....	33,017	23,404
Illinois .....	160	.....	25,774	.....	25,934	44,643
Wisconsin .....	2,466	520	2,411	.....	5,397	74,688
Minnesota .....	.....	.....	700	3,140	2,840	88,035
Iowa and Nebraska .....	12,825	21,814	3,672	.....	37,911	23,520
Other States .....	2,000	1,280	2,417	.....	5,697	26,164

## More Sugar Used in 1943

Data indicating that considerably more sugar was distributed in the United States during the first six months of 1943 than in the corresponding period last year were furnished to members of the Industrial-Sugar Users Food Advisory Committee at a recent meeting with officials of the War Food Administration and Office of Price Administration. According to these figures, sugar distribution by primary distributors in the January-June, 1943, period totaled 2,840,117 short tons, raw value, as compared with 2,474,257 short tons in the first six months of 1942, an increase of about 15 per cent.

The recent increases in sugar allotments were explained to members of the committee by officials of the two agencies. These have consisted of a flat increase of about 14 per cent in allotments to all industrial users, of supplemental allotments for fruit preserves, pharmaceuticals and low-sugar-content bakery products and breakfast cereals, of increased allowances to canners for syrups of higher sugar content, and of larger allotments to many areas which have experienced population increases as a result of the war. Officials expressed the hope that the favorable shipping situation of recent months, which has made possible the increased allotments, would be maintained, but stated that although arrivals of sugar from offshore areas have improved substantially during recent months, it is too early to determine whether the prospective sugar supply situation warrants a further increase to industrial sugar users generally.

The following canner-members of the committee were present at the meeting: Harold J. Humphrey, Snider Packing Division, General Foods Corporation, Rochester, N. Y.; Willard E. Smucker, J. M. Smucker Co., Orrville, Ohio, and Stanley Powell, California Packing Corp., San Francisco, Calif., as alternate for Carl N. Lovegren, president of the Canners League of California.

## CCC Acceptances Must Precede Delivery of Payment Forms

The Association has been advised that the forms on which claims for preliminary payment under the Commodity Credit Corporation's offer may be made are not mailed to canners until their acceptance of the CCC offer has been received and acknowledged.

Officials of the Fruit and Vegetable Branch of the War Food Administration state that it is now the practice to enclose preliminary payment form (Form 3) with their acknowledgment of the canner's acceptance. However, acknowledgments are not mailed until verification of the local War Board certification has been received.

## California Sardine Report

Estimated figures on tonnage of sardines delivered to California processing plants and cases of sardines packed during the current season to August 14, inclusive, as reported by the California Sardine Products Institute, are as follows:

TONNAGE:	Tons
San Francisco Bay.....	7,423
Monterey.....	6,820
Total.....	14,243
PACK:	Cases
Can sizes:	
1-lb. oval.....	50,586
1-lb. tall.....	31,339
1/2-lb. fillet.....	8,345
1/2-lb. round 90's.....	1,053
5-oz. 100's.....	1,567
Miscellaneous.....	3,070
Total.....	95,950

## Processed Food Factors Set

The Office of Price Administration has announced the "factors" which industrial users will use for determining their allotments of processed food for the period from September 1 through December 31, 1943.

These allotments—contained in Amendment 16 to Revised Supplement 1 to Ration Order 13, effective August 16—are figured by multiplying the amount of each type of processed food used during the corresponding base period in 1942 by the following factors:

Canned and bottled fruits, vegetables and juices, and dry beans and peas.....	7
Frozen processed foods in containers of 10 pounds or less.....	7
Frozen processed foods in containers of more than 10 pounds.....	7
Dried fruits and dehydrated soups.....	0

## Imported Fertilizer Pricing

Imported mixed fertilizer, superphosphate and potash are now subject to the same price control as the domestic product, under terms of Amendment 5 to Revised Maximum Price Regulation No. 135, effective August 18.

## Dollars and Cents Ceilings Specified for Canned Clams

After August 21, the canned soft clam industry will be governed by dollars-and-cents maximum prices set in Maximum Price Regulation No. 448, the Office of Price Administration has announced. Previously, this industry operated under provisions of the General Maximum Price Regulation.

Canner's prices, established in MPR No. 448, will result in a slight increase to wholesalers and retailers who sell canned clams under fixed mark-ups. These prices are from 17 to 20 cents per dozen cans higher than average March, 1942, rates.

The new canners' prices are:

	Per dozen cans
No. 1 Picnic.....	\$2.00
No. 1 Tall.....	3.10
No. 2.....	3.75

With every first sale of canned soft clams after August 21, when these prices go into effect, wholesalers and retailers must be notified by canners to recalculate their own maximum prices to bring them into line with those established in the regulation. The regulation provides for such notice and for the added time needed to make recalculations.

Prices for hard clams, butter clams and razor clams, not governed by this regulation, will be covered by an amendment upon completion of further study, it was stated.

## Frozen Food Price Revision

Processor ceiling prices for both frozen spinach and frozen Fordhook lima beans are to be revised upward to reflect increases in raw material costs over the 1942 crop, the Office of Price Administration has announced.

Maximum prices for processors of frozen Fordhook lima beans will be adjusted to reflect an increase of 20 per cent in raw material cost, while those for frozen spinach will be adjusted to reflect an increased raw material cost up to 1 per cent per pound the OPA said. The amendment fixing these revised ceilings will be issued in the very near future.

## RATION POINT DEFAULTS

### Amendment Provides for Notification Of Other Prospective Suppliers

A simplified method of reporting defaults in "paying" ration points for processed foods received in trade transactions has been established by the Office of Price Administration.

As an additional safeguard against such defaults, the OPA provided at the same time that a district manager or State director may take any steps he deems reasonably necessary to notify a defaulting merchant's other prospective suppliers of the default. However, all persons so informed are likewise to be instructed when the default has been cleared. Under the regulations covering processed foods rationing, a tradesman's right to acquire such foods is restricted if he is in ration default.

Prior to this change in procedure, a seller or transferor of processed foods has been required, when points are not surrendered within ten days, to notify the OPA district or State office "for the place where the transfer was made." As a result of the change, such reports will be made to the district or State office "for the place where the transferor's establishment is located." The change is outlined in Amendment 53 to Ration Order 13, as follows:

Ration Order 13 is amended in the following respects:

1. The fourth sentence of section 9.5 (c) (3) is amended to read as follows:

If the transferor does not get the points within the time required by this subparagraph, he must immediately notify the district (or State) office for the place where his establishment is located, of the default.

2. A new sentence is added at the end of section 9.5 (c) (3) to read as follows:

If the District Manager (or State Director) is satisfied that the transferee is in default, he may take any steps which he deems reasonably necessary to inform the transferee's present and prospective suppliers of the default so that they will know that his right to acquire processed foods is restricted as provided in this subparagraph. When the transferee is no longer in default, the District Manager (or State Director) shall so inform all persons whom he informed of the default.

This amendment shall become effective August 24, 1943.

Back the attack. Buy War Bonds through the payroll savings plan to the limit of your income.

If Hitler wins, the issue for you will be living itself and not just the cost of living. Think that over and figure it out for yourself how much beyond 10 per cent of your income you should put into War Bonds every pay day.

### CCC TOMATO PRICES REVISED

(Concluded from page 7809)

(1) The weighted average price per ton paid by the Processor, including transportation costs, for the tonnage of each variety (round or pear-shaped) of such tomatoes delivered to the Processor at any one point and processed at any one plant shall be not less than \$23 per ton for round tomatoes and \$25 per ton for pear-shaped tomatoes.

(2) The purchase price per ton to be paid by Commodity Credit Corporation for the tonnage of each variety of such tomatoes delivered to the processor at any one point and processed at such plant: *Provided*, That such purchase price shall not exceed \$27 per ton for round tomatoes and \$29 per ton for pear-shaped tomatoes.

Any processor who has accepted the Offer may signify his acceptance of this amendment by executing and returning this amendment to Commodity Credit Corporation.

Any processor who has not heretofore accepted the Offer may accept the Offer, as hereby amended, by executing this amendment, attaching it to an executed copy of the Acceptance of Offer by Processor (1943 CCC Vegetable Form 2), and returning both to Commodity Credit Corporation.

Signed, sealed, and attested this 19th day of August, 1943.

COMMODITY CREDIT CORPORATION.

By J. B. Hutson  
President

Attest:

Norine J. Fauble  
Secretary

(SEAL)

The undersigned hereby accepts the above amendment this \_\_\_\_\_ day of \_\_\_\_\_, 1943.

(Name of Processor)

By \_\_\_\_\_

(Name of agent or officer)

Title \_\_\_\_\_

(Partner, president, or other title)

(If Processor is a corporation, affix its seal and have attested by its Secretary or corresponding official)

Attest \_\_\_\_\_

Title \_\_\_\_\_

### WMC TIGHTENS RESTRICTIONS ON TRANSFERS OF WORKERS

(Continued from page 7809)

workers between non-essential jobs generally remains unrestricted. Also, the transfer of workers from non-essential to essential activities is left generally unrestricted. These two kinds of transfers are, however, subject to a new requirement when the new employee is an "in-migrant" worker from another area. This new requirement is discussed later in this article.

Transfers of workers, however, between essential industries have been made subject to increased restrictions. Formerly, it was only necessary for a new employee to obtain a statement of availability and present it to the new employer when the employee transferred from one essential industry to another. Since the processing of food, which includes drying, preserving, canning, freezing, and dehydrating, is listed as an "essential activity", canners should be particularly interested in the new rules concerning statements of availability.

The new restrictions on transfers of workers between essential activities break down into three parts: (1) hiring of a new employee already in an "essential or locally needed activity", (2) provisions defining when an employee shall be given a statement of availability, and (3) hiring of a new employee only with permission of the United States Employment Service.

Regulation 7 provides that "A new employee who during the preceding 60-day period was engaged in an *essential or locally needed activity* may be hired only if such hiring would aid in the effective prosecution of the war." Hiring for the "effective prosecution of the war" is defined to be only (1) hiring for work in an essential or locally needed activity or for work to which the employee has been referred by the United States Employment Service, and (2) hiring of an individual who has presented a statement of availability from his last employment in an essential or locally needed activity, or is referred by USES to the job, or is hired with the consent of the WMC. A "new employee" is defined as a person who was not employed by the hiring employer during the preceding 30-day period.

This means that canners can hire a new employee from another "essentially or locally needed activity" without the specific permission of USES if the new employee obtains and presents to the canner a statement of availability.

However, if the new employee the canner wishes to hire has been last employed in a "critical occupation" as

distinguished from an "essential or locally-needed activity", or if the new employee is an "in-migrant" worker from another area, even though last employed in non-essential work, or if the new employee was last employed in agriculture, the hiring of the employee *must* be specifically approved by USES. In these three situations, the canner cannot hire the employee merely on the basis of a statement of availability, but he must get clearance from USES.

Under the former regulations, an employee was entitled to receive a statement of availability if any one of three conditions existed. If the employer refused to issue the statement, the employee could then ask USES to issue a statement. These three conditions have been retained and two new conditions have been added. The new conditions are Nos. 4 and 5 in the following quotation:

"An individual whose last employment was in an essential or locally needed activity *shall* receive a statement of availability from his employer if (1) He has been discharged or his employment has otherwise been terminated by his employer, or (2) He has been laid off for a period of seven or more days, or (3) Continuance of his employment would involve undue personal hardship, or (4) Such employment is at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or (5) Such employment was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages . . .) as warranting adjustment, and the employer has failed to adjust the wage in accordance with that level, or to apply to the appropriate agency for such adjustment or approval."

It is rather difficult to assess exactly the significance of the requirement that a statement of availability shall be issued to an employee if the employment was at a wage or salary below a level established or approved by the NWLB and the employer has failed to adjust the wage in accordance with that level or to apply for such adjustment or approval. The "levels" approved by the Board are far from clear. In this connection, the going rates and wage brackets approved or established by the NWLB for the various regions are regarded by the Board as merely a guide or standard to be used in deciding particular applications for wage increases. Furthermore, the designation by the NWLB of 40 cents per hour as the definition of a substandard wage also is merely regarded by the Board as a standard by which it judges whether application for a wage increase requires approval by the Board.

The net result of the NWLB policies seems to be that the going rates and rate brackets and approved wage increases are not mandatory and therefore are not construed in any sense by the Board to be minimum wages.

However, by indirection, the provision that a statement of availability shall be issued where the employer has not put into effect an approved wage increase or sought a wage increase, appears to result in changing the going rate brackets and the approved wage increases of the War Labor Board into minimum wages. The practical effect on canners seems to be that, if they wish to hold their employees in their essential industry of canning and wish to be in the position to deny a statement of availability, they are practically required to seek promptly wage increases equal to the minimum going rate bracket approved by the canners' particular area and to put them into effect.

In addition to these five conditions where an employer is required to issue a statement of availability, a new provision has been added that the WMC shall issue statements to the employees if the Commission finds, after notice and hearing, that the employer has violated the provisions of an employment stabilization program. In other words, this new provision is in the nature of a penalty for violation of the regulations. If, for example, a canner were found by the Commission to have violated the regulations, all of his employees would be given statements of availability, freeing them for other jobs, until the canner began to comply with the regulations.

The new regulations have, however, made a modification of former policy which may be beneficial to canners. The former Regulation 4 flatly prohibited a worker from transferring from one essential activity to another at a higher rate of pay. Under the new regulations, however, hiring at a higher rate is prohibited if the hiring is in violation of an employment stabilization program. If the canner complies with the employment stabilization program in hiring the employee, however, he may hire the employee at a higher wage. The text of Regulations 4 and 7 follows:

#### REGULATION NO. 4

##### Transfer of Workers at Increased Rates of Pay

904.1. *General.* The employment by any employer of a new employee or the acceptance of employment by a new employee at a wage or salary rate higher than that received by such new employee in his last employment is prohibited if the employment is in vio-

lation of the provisions of an employment stabilization program approved by the War Manpower Commission.

904.2. *Collective Bargaining Agreements.* Nothing in this regulation shall be construed to prejudice existing rights of an employee or an employer under a collective bargaining agreement.

904.3. *Exclusions.* No provision of this regulation shall be applicable to:

A. the hiring of a new employee for agricultural employment;

B. the hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; and such work shall not constitute "last employment" for the purposes of Section 904.1;

C. the hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

D. the hiring by a State, county, or municipal government, or their political subdivisions, or their agencies and instrumentalities, or to the hiring of any of their employees, unless such State, county, or municipal government, or any political subdivision or agency, or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with this regulation;

E. the hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service.

904.4. *Definitions.* As used in this regulation:

A. *Agriculture* means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

B. *State* includes Alaska, Hawaii, the District of Columbia, and any foreign government.

C. *New employee* means any individual who has not been in the employ of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

904.5. *Penalties.* The violation of this regulation is subject to the penal provisions of the Act of October 2, 1942 (Pub. No. 729, 77th Cong.). The provisions of Section 4001.10 of the regulations of the Economic Stabilization Director issued October 27, 1942, apply to any wages or salaries determined by the War Manpower Commission to have been paid in violation of this regulation.

904.6. *Saving Clause.* All offences committed, and all penalties, forfeitures, or liabilities incurred prior to August 16, 1943, under War Manpower Commission Regulation 4, effective April 18, 1943 (8 F.R. 5136), may be prosecuted and punished in the same manner and with the same effect as if said regulation had not been revoked.

904.7. *Effective Date.* Sections 904.1 to 904.6, inclusive, shall be effective August 16, 1943.

#### REGULATION NO. 7

##### Governing Employment Stabilization Programs

907.1. *General Policy.* (a) *Objectives.* The purpose of an employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management, and necessary for the effective prosecution of the war:

(1) the elimination of wasteful labor turnover in essential activities.

(2) the reduction of unnecessary labor migration.

(3) the direction of the flow of scarce labor where most needed in the war program.

(4) the maximum utilization of manpower resources.

(b) *Authority and Responsibilities of Management-Labor Committees.* The several Regional and Area Management-Labor War Manpower Committees are hereby authorized to consider questions of policy, standards, and safeguards, in connection with the establishment and the administration of employment stabilization programs, and to make recommendations to their respective Manpower Directors.

(c) *Encouragement of Local Initiative and Use of Existing Hiring Channels.* To the maximum degree consistent with this regulation and with the objectives of employment stabilization programs, local initiative and cooperative efforts shall be encouraged and utilized and maximum use made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions and government agencies.

(d) *Special Authorization to Designated Government Agencies.* The Chairman of the War Manpower Commission may authorize designated government agencies to perform some or all of the functions of the United States Employment Service under this regulation in accordance with such conditions and procedures as he may prescribe.

907.2. *Control of Hiring and Solicitation of Workers.* (a) *After Establishment of Employment Stabilization Program.* All hiring and solicitation of workers in, or for work in, any locality for which a War Manpower Commission employment stabilization program has been established shall be conducted in accordance with such program.

(b) *Pending Establishment of Employment Stabilization Program.* All hiring and solicitation of workers in, or for work in, a locality for which no War Manpower Commission employment stabilization program has been established shall, pending the establishment of such a program, be conducted in accordance with subsections (a) to (1), inclusive, of Section 907.4 of this regulation which subsections shall be considered an employment stabilization program for this purpose.

907.3. *Establishment and Approval of Programs.* (a) *General.* Employment stabilization programs shall be formulated by Area or Regional Manpower Directors after consultation with their Management-Labor War Manpower Committees, but shall not become or continue operative except as provided in this section.

(b) *Area Programs.* Area employment stabilization programs may be established for any War Manpower Commission administrative area designated by a Regional Manpower Director for employment stabilization purposes.

(c) *Other Programs.* Employment stabilization programs shall be established not later than October 15, 1943, for all portions of States or regions for which no area employment stabilization program has been established.

(d) *New Programs.* Employment stabilization programs which are not in effect prior to the effective date of this regulation, shall be submitted to the Regional Manpower Director for his approval. No such program shall become operative until approved by the Regional Manpower Director.

(e) *Existing Programs.* All employment stabilization programs in effect on the effective date of this regulation shall be promptly amended by the appropriate Manpower Director, after consultation with his Management-Labor War Manpower Committee, so as to include therein the provisions set forth in Section 907.4 of this regulation, and otherwise to conform to this regulation. The program thus amended shall be submitted to the Regional Manpower Director for his approval. Any existing programs not so amended and approved by October 15, 1943, shall cease to have operative effect on and after such date.

(f) *Termination of Industry Programs.* No War Manpower Commission industry employment stabilization program shall be established after the effective date of this regulation. No such existing program shall continue in effect on or after October 15, 1943, unless specifically approved by the Chairman of the War Manpower Commission.

(g) *Approval.* The Regional Manpower Directors are authorized to approve any employment stabilization program which includes the provisions set forth in Section 907.4 of this regulation, and otherwise conforms to the provisions of this regulation.

907.4. *Minimum Standards in General.* Except as provided in Section

907.5 (a) (5), every employment stabilization program approved after the effective date of this regulation shall contain the following provisions: (a) *General.* A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(1) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(2) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

(b) *Issuance of Statements of Availability by Employers.* An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(1) He has been discharged, or his employment has been otherwise terminated by his employer, or

(2) He has been laid off for an indefinite period, or for a period of seven or more days, or

(3) Continuance of his employment would involve undue personal hardship, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(c) *Issuance of Statements of Availability by United States Employment Service.*

(1) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in subsection (b) is found to exist in his case. If the employer fails or refuses to issue a statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(2) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Com-

mission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

(d) *Referral in Case of Under-Utilization.* If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

(e) *Workers Who May be Hired Only Upon Referral by the United States Employment Service.* A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service when:

(1) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation.

(2) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period.

(3) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work provided that no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, and provided that such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

(f) *Exclusions.* No provision of the employment stabilization program shall be applicable to:

(1) the hiring of a new employee for agricultural employment;

(2) the hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purposes of the program, unless the employee is customarily engaged in work of less than seven days' duration;

(3) the hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(4) the hiring by a foreign, State, county, or municipal government, or their political subdivisions, or their agencies, and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government, or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(5) the hiring of a new employee for domestic service, or to the hiring of a

new employee whose last regular employment was in domestic service;

(6) the hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

(g) Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

(h) *Content of Statements of Availability.* A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address, of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

(i) *Solicitation of Workers.* No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

(j) *Hiring.* The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(k) *Representation.* Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

(l) *General Referral Policies.* No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

907.5. *Optional Provisions.* Regional and Area Manpower Directors, after consultation with their Management-Labor Manpower Committees, may include in employment stabilization programs provisions such as the following designed to meet special manpower needs in the localities affected, but except as authorized in Section 907.5 (a) (5), no such provision shall conflict with Section 907.4 of this regulation or with any State or Federal law: (a) Subject to standards and instructions approved by the Chairman of the War

Manpower Commission, provision for adding to Section 907.4 (e) of this Regulation the following categories of individuals who must be hired only upon referral by, or in accordance with, arrangements made with the United States Employment Service.

(1) Individuals for work in specified categories of occupations in activities in which manpower shortages threaten critically needed production, or

(2) Individuals for work in specified shortage occupations (in addition to critical occupations), or

(3) Individuals whose statements of availability indicate that they were most recently employed in such occupations, or

(4) Individuals who can be readily identified as able to meet specifications required for work in such occupations or activities: a program containing such a provision may apply only to a labor market area which, on the date of the approval of the program, was classified by the War Manpower Commission as a "Group I," or "Group II," area, or

(5) All individuals. A program containing such a provision may apply only to a labor market area which, on the date of the approval of the program, was classified by the War Manpower Commission as a "Group I," or "Group II," area. Such a program may, notwithstanding anything to the contrary in this regulation, include necessary modifications of Section 907.4.

(b) Provisions designed to protect individuals from loss of seniority or other reemployment rights.

(c) Provisions designed to require or promote more effective utilization of their manpower by employers.

(d) Provisions designed further to control advertising or other solicitation of individuals.

(e) Provisions designed to afford individuals a greater measure of protection against arbitrary discharge.

(f) Provisions designed to facilitate the employment of individuals during vacation, probationary, off-season, or other short periods in work other than that in which they have customarily engaged, and to facilitate the return of such persons to their customary employment.

(g) Provisions governing the release of individuals by employers by whom they were hired or solicited in violation of an employment stabilization program and other provisions pertaining to the enforcement of a program.

(h) Provisions designed to minimize loss of working time of applicants for statement of availability or referral.

(i) Provisions designed to permit the hiring of an individual by, or of an individual whose last regular employment was with, a small establishment without regard to the requirements of the program, except that no establishment regularly employing more

than eight employees shall be treated as a small establishment for the purpose of this paragraph.

907.6. *Definitions.* As used in this regulation: (a) *Agriculture* means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(b) *State* includes Alaska, Hawaii, and the District of Columbia.

(c) *New employee* means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(d) *Critical occupation* means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(e) *Essential activity* means any activity included in the War Manpower Commission List of Essential Activities.

(f) *Locally needed activity* means any activity approved by the Regional Manpower Director as a locally needed activity.

(g) The terms *employment* and *work* as applied to an individual engaged in principal and supplementary employments mean his principal employment.

(h) *Employment stabilization program* includes any arrangement involving restrictions on separation or hiring of workers, whether through issuance of statements of availability, referral by the United States Employment Service or otherwise.

907.7. *Revocation of Previous Policies.* The War Manpower Commission Policy to Prevent Pirating of War Workers, dated July 16, 1942, appearing at 7 F. R. 5500, and Part 907, Sections 907.1 to 907.21, inclusive, War Manpower Commission Policies for Employment Stabilization Programs Which Include the Exercise of Hiring Controls in Areas of Manpower Shortage, effective February 1, 1943, appearing at 8 F. R. 7227 (as amended, June 20, 1943, 8 F. R. 9182), are hereby revoked, effective August 16, 1943, together with all instructions and procedures previously issued by the War Manpower Commission relating to the formulation and content of employment stabilization programs.

907.8. *Effective Date.* This regulation shall become effective August 16, 1943.

## TURKEY BAN TIGHTENED

### Amendment, However, Permits Release Of Storage Stocks for Canning

The War Food Administration has taken steps to stop all further civilian use of turkeys after August 21 and until the armed forces' request for 10 million pounds of the fowl for overseas shipment is met.

The restriction was issued as an amendment to Food Distribution Order 71 which became effective August 2. That order prohibited the sale, purchase, or processing of live or dressed turkeys, except as authorized by designated governmental agencies, but did not apply to those turkeys which were in storage before August 2.

The amendment requires that those holding turkeys in storage on or after August 21, 1943, set aside and hold the turkeys for delivery to a governmental agency. It permits the release for canning purposes, however, of the storage turkeys set aside under the order as amended. Release of storage birds for this purpose must be obtained from the Regional Director of the Food Distribution Administration.

The turkey order as amended now applies to turkeys in storage before August 2, as well as to 1943 crop turkeys which are to be marketed in the next few weeks to fulfill the emergency request for the armed forces. It affects producers, processors, packers, wholesalers, retailers, restaurant, hotel and dining car operators, and civilian consumers without regard to previous contracts.

In support of the embargo order will be orders to be issued to each processor by military authorities. The mandatory orders will give each processor receiving them the necessary authority to buy, process, and sell the turkeys to the armed forces.

Lifting of all restrictions on turkeys, WFA officials said, will follow immediately after fulfillment of this military requirement. Unless, during the next few weeks, early marketings of 1943 crop turkeys are considerably smaller than they have been in previous years, it is not expected that the embargo will extend much beyond October 1.

## Production of Dry Beans, Peas

Probable 1943 production of pea and medium white beans is estimated at 6,468,000 bags, of which 5,936,000 bags are in Michigan and 428,000 bags in New York, according to a report issued by the Department of Agriculture. In 1942 the production was 5,991,000 bags. There will probably be about 3,800,000

bags of the Great Northern type, compared with 2,873,000 bags a year ago, mostly in the Northwest. Pinto bean production is expected to be 4,595,000 bags in 1943, compared with 3,444,000 bags in 1942.

The probable 1943 crop of standard limas is 1,378,000 bags, about the same as last year, but the Baby lima crop is expected to be 1,056,000 bags, compared with 825,000 bags a year ago.

## 40¢ Hourly Rate Is Urged for Distributor Industry Workers

A minimum wage rate of 40 cents an hour for all wholesaling, warehousing and other distribution industry workers in the United States was recommended to the Federal Government, August 17, by a 21-man committee named to study the subject.

The committee, appointed by the Wage and Hour and Public Contracts Division of the Department of Labor, and representing public, labor, and employer, voted 19 to 2 in favor of the 40-cent minimum.

Members of the committee said that workers in the industries already received more than 40 cents an hour, except for a few thousand in southern States. An estimated 1,100,000 workers are employed in the industry which includes the activities of jobbers, industrial distributors, mail order and retail selling establishments, brokers and agents, and public warehouses.

The committee's report now goes to Administrator L. Metcalfe Walling, who will set a date for a public hearing at which interested persons may appear and testify or submit evidence in support of, or against, the adoption of the recommendation.

## Canned Bacon Prices Reduced

Maximum prices for sales of canned, sliced bacon to the Food Distribution Administration have been reduced \$2 a hundredweight by the Office of Price Administration, which, at the same time, set maximum prices for the same commodity in sales to the Chicago Quartermaster Depot.

The maximums for sales to the FDA are \$30 a hundredweight in 1½-pound cans and \$29.75 in 7-pound cans; those for sales to the Chicago Quartermaster Depot, \$32.75 and \$32.50. The price difference is due to estimated cost differences arising from stricter Army specifications for the product.

This action was taken through Amendment No. 10 to Revised Maximum Price Regulation No. 148, which became effective August 13.

## Frozen Fruit and Vegetable Stocks Held in Cold Storage

Stocks of frozen fruits in storage on August 1, 1943, totaled 161,958,000 pounds, against 107,138,000 on July 1, and 186,003,000 on August 1, 1942, according to the Food Distribution Administration. Frozen vegetable stocks were 97,843,000 pounds, against 73,888,000 on July 1, this year, and 88,248,000 on August 1, 1942. The following table furnishes details by commodities:

FRUITS	Aug. 1, 1943	July 1, 1943	Aug. 1, 1942
	1,000-lbs.	1,000-lbs.	1,000-lbs.
Blackberries.....	3,083	3,853	5,780
Blueberries.....	2,795	3,025	2,236
Cherries.....	44,654	6,123	28,453
Young and similar berries.....	6,332	2,538	5,272
Raspberries.....	20,665	5,968	18,834
Strawberries.....	54,062	36,257	34,634
Other fruits.....	22,065	35,540	40,122
Classification not reported.....	31,747	13,825	26,618
Total.....	186,003	107,138	161,958
VEGETABLES			
Asparagus.....	7,619	4,550	5,472
Beans, lima.....	5,613	4,809	3,585
Beans, snap.....	7,908	2,676	2,971
Broccoli, green.....	1,164	821	750
Corn, sweet.....	2,963	1,430	1,062
Peas, green.....	46,335	16,305	36,945
Spinach.....	5,816	6,845	6,862
Other vegetables.....	4,437	10,936	10,362
Classification not reported.....	7,273	25,517	29,004
Total.....	88,248	73,888	97,843

## Folder Issued for Home Canners

A folder recently issued by the Department of Agriculture furnishes information for housewives who plan to do home canning this year. The title is "War-time Canning of Fruits, Vegetables."

The folder gives directions for canning from the time the fruit or vegetable is picked until the job is done. A table furnishes the correct process times for fruits in the hot-water bath and for non-acid vegetables in the pressure canner. Another table tells how many quarts of canned fruits or vegetables may be expected from one bushel of produce.

This folder supersedes in part USDA Farmers Bulletin 1762, "Home Canning of Fruits, Vegetables and Meats," which contains detailed information not given in the folder on all phases of the subject.

A section of the folder is devoted to the new wartime jar closures. Complete directions for using the various new types of closures are given. Copies of the folder may be obtained free by writing to "Home Canning," U. S. Department of Agriculture, Washington, D. C.

### 1942 Fruit Pack Statistics

Canned fruit pack statistics for 1942 have been compiled and published by the Association's Division of Statistics. The publication also contains comparisons of the packs of various canned fruits for several years past.

Copies of the bulletin, "Canned Food Pack Statistics: 1942, Part 2—Fruits," are being mailed to members of the Association. Additional copies may be obtained on request.

### WFA Issues Plans for 1943-44 Farm Machinery Distribution

The War Food Administration has authorized manufacturers of farm machinery and equipment to distribute up to 40 per cent of their production—in the year beginning July 1, 1943,—of items now listed for rationing under Order L-257, which provides for specific quotas for various farm machines and permits unlimited production of repair parts.

Under the terms of the new order—Supplementary order No. 5 to Food Production Order No. 3—manufacturers may distribute up to 40 per cent of their production as they see fit through normal distribution channels. However, they are first required to fill quotas issued to them by WFA which were designed to place rationed items of farm machinery and equipment where they would be needed to satisfy State and county quotas established under last year's machinery distribution program. This refers to machinery produced under WPB Order L-170.

WFA officials said that this action is a step toward a simplified program for distribution of farm machinery and equipment in the year ahead. A permanent program will be announced in the near future, which will take into consideration the greater production of farm machinery and equipment scheduled this year.

### South Africa Fish Oil Output

Fish liver oil production in the Union of South Africa for 1943 is expected to total 100,000 United States gallons, an increase of 50 per cent, according to the Department of Commerce.

The industry was established early in 1941 but development has been retarded by the taking over of a number of boats by the Admiralty. Approximately half of the oil being produced is exported to the United States and a large portion of the remainder to the United Kingdom.

### Trade Association Unit Created in the Department of Commerce

Creation of a Trade Association Unit in the Bureau of Foreign and Domestic Commerce has been announced by the Department of Commerce. This action consolidates existing functions of the Bureau in the trade association field so as to give broader scope to the work and simplify administration. C. J. Judkins, who has been in immediate charge of trade association work for the Department for more than 10 years, has been named chief of the unit. He has devoted many years to the business cooperative movement as a practicing attorney in trade association law and as a staff member of the Chamber of Commerce of the United States and other business organizations.

### Farm Machine Freight Charge

Farm equipment retailers may pass on to consumers the actual transportation charges incurred by them instead of "average combined freight charges," the Office of Price Administration has announced.

The action, taken in Amendment No. 5 to Maximum Price Regulation 133, not only simplifies the former provisions for determining freight charges the dealers were allowed to include in their selling prices but also reflects OPA's recognition of changes to the industry's customary manner of shipment brought about by wartime conditions.

### Tomato Production Studies

A summary of the costs, returns and some management factors that affect the returns from producing tomatoes in Kent County, Delaware, has recently been published by the Delaware Agricultural Extension Service. A similar report covering the production of lima beans in Sussex County also has been published. While the information presented in the tables in these publications represents the report of only a certain number of growers for a single season, the Station points out that the results of some of the management practices are so outstanding it is probable, in view of previous reports, they will continue to be outstanding under a wide range of conditions.

The Association's Raw Products Bureau does not have copies of these reports for distribution to members, but it is believed they can be obtained upon request directed to the Delaware Agricultural Extension Service, Newark, Delaware.

### Used Steel Drums Restricted

Used steel shipping drums which are suitable for reuse for packing either edible products or naval stores products, may not be used for any other purpose but are restricted to the uses of those industries, according to Amendment No. 1 to Limitation Order L-197, the War Production Board has announced.

### Rejected Steel Drum Sales

Sales of rejected new steel drums and seconds have been placed under control of the War Production Board by an amendment to General Preference Order M-255.

The order provides that no manufacturer of steel drums shall sell or deliver to anyone except the Army, Navy, Maritime Commission or War Shipping Administration, any rejects or seconds in excess of three-quarters of one per cent of his monthly production without express authorization of the WPB. Rejected drums totaling less than the restricting percentage, may, however, be sold without authorization but only for a specified amount.

Where a sale of rejects or seconds in excess of the restricting percentage is made to a user, it is necessary for the user to file Form PD-835.

### Orange Shipment Order

Acting at the request of the Office of Defense Transportation, the Interstate Commerce Commission has instituted a permit system for rail shipments of all oranges from California and Arizona to destinations outside those States.

The order, ICC Service Order No. 148, which became effective August 15, prohibits the acceptance by railroads of oranges in straight or mixed carload lots originating in the States of California or Arizona and destined to points outside of these States, without a permit issued by the Food Distribution Administration. It further prohibits railroads from diverting cars originally destined to points within California or Arizona to points outside those States.

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### Ceilings Are Set on California Grapes for Table Use

Maximum prices for California grapes sold for table use were established August 19 in specific cents-per-pound terms at levels which represent a reduction from current prices of 50 per cent or more.

Amendment No. 4 to Maximum Price Regulation No. 426, effective August 19, 1943, establishes maximums for the grapes at the country shipper, terminal market and wholesale levels. The fixed mark-up regulations covering retail grocers are being amended to establish a mark-up sales of the grapes.

From the period August 1, 1943—October 31, 1943, the maximum f.o.b. shipping point price for shipments out of California is \$2.05 per 28-pound lug box of grapes. The basing point price for that period is \$2.20, and the basing point is Bakersfield, California. The maximum price in carlot or trucklot sales at the terminal market is \$2.20 plus freight from Bakersfield to the market, and in less than carlot sales at the terminal market, \$2.20 plus freight, plus 56 cents.

For the period November 1, 1943—December 31, 1943, the f.o.b. and basing point prices are increased by 25 cents per 28-pound lug box, with corresponding increases down the line. For the period January 1, 1944, to the end of the season, there is another 30 cent increase at the shipping point, with corresponding increases on down the line.

For grapes sold f.o.b. California in any container other than the 28-pound box, a maximum price of 7.25 cents a pound is established for the first period; 8.25 cents a pound for the second; 9.25 cents a pound for the third. Terminal market maximum prices per pound for carlot or trucklot sales in such containers are obtained by dividing the lug box carlot maximum prices for the proper period by 28. Terminal market maximum prices per pound for sales of less than carlots or trucklots are determined by adding 2 cents a pound to these last.

For sales for resale and consumption in California, a maximum price of 8 cents a pound for the first period, 9 cents a pound for the second and 10 cents a pound for the third is established for terminal market sales in carlots or trucklots, with a maximum of 10, 11, and 12 cents for sales in less than carlots or trucklots. No basing point system is used here.

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### Food Labeling Problems

(Editorial in *New York Journal of Commerce*, August 11, 1943.)

Current amendments by OPA to a number of regulations, revoking grade labeling requirements for processed foods, remove the immediate threat to brand names in this field. This action comes, however, only as the result of specific curbs on OPA's standardization and grade labeling powers, resulting from an intensive industry drive in Congress for the preservation of established merchandising practices in the food industry. By no means should it be considered a final settlement of the long-smoldering controversy between industry and Administrative proponents of compulsory Federal grading and grade label nomenclature.

Management in the food processing field, fully alert to the menace to advertised brands and company good-will built up through extensive and costly concentration of promotional activity on brands, may be counted upon to remain vigilant against renewed efforts to standardize labeling procedure which will undoubtedly develop.

Industry reaction to the food labeling question, however, should not be content with mere preparation against the day when this issue may have to be fought out once more before Congress. The current "breathing spell" should be utilized to the fullest extent in publicizing the food trade's side of the labeling question to the end that a more fully informed public and Congress may be insured when consideration of this question again comes up.

Moreover, management in the food field should utilize this opportunity to evaluate the present status of food labeling procedure to the end that any shortcomings inherent in present practices may be corrected voluntarily. The canning industry, in particular, has been active in recent years in developing a more comprehensive system of nomenclature for its labels. Processors of other types of branded food products, many of whom are currently redesigning their containers and labels to

meet packaging problems arising from the war program, might well emulate the example of the canners to the end that the over-all label position of food producers may be brought to a standard of excellence which will readily justify a strong and well-founded opposition to future efforts to disrupt normal branding and merchandising technique in that field.

### Highlights from Some Recent Experiment Station Reports

Problems of a practical nature that have a direct bearing upon the production of tomato plants in Georgia are being studied at the Georgia Coastal Plain Station, in cooperation with the U. S. Department of Agriculture, and the results of recent experiments are contained in the current report of the Station. These include the influence of mechanical injuries on susceptibility of tomato plants to early blight; the importance of plant nutrition in the development of this disease; the value of adding plant nutrients to peat moss used in packing tomato plants; and the influence of date of planting, humidity, and temperature on early blight development.

In addition to extensive experiments on citrus nutrition, diseases, fertilizers, and insects, the Florida Experiment Station, in its latest report, emphasizes the importance of cleanup in connection with control of the pepper weevil. The results of seed treatment of Fordhook lima beans, tomatoes, peppers, snap beans, and spinach are also given in this report.

At the Agricultural Experiment Station of Purdue University, Lafayette, Indiana, breeding experiments with tomato varieties are under way to produce varieties of tomatoes that combine resistance to the more serious diseases while retaining commercial quality. New varieties of tomatoes are also being sought with smaller cores, the ability to set fruits in hot weather, and with fruits less susceptible to sun scald.

The studies mentioned above are but a few among the many lines of research carried on by these institutions. The Association's Raw Products Bureau receives currently the reports issued by State Experiment Stations, and will be glad to furnish canners with references to work on their individual problems.